



Beaverton's Public Land Use Review Process and Being Effective with Your Participation

Status of Peterkort Proposal

Representatives of the J. Peterkort Co. have submitted to the City a Conditional Use / Planned Unit Development (PUD) application. This application is synonymous with a Master Plan. In the PUD application, development types and densities are assigned to the subject properties. Specific development proposals are not included in this application but will be the subject of future land use applications. The PUD application will establish a framework of the type of development that will take place and the potential impacts anticipated to be created by the development. The potential impacts include, and are not limited to, transportation concerns.

What is the City's Process for Conditional Use/PUD Applications?

- **Step 1: Pre-Application Conference.** The applicant comes in to discuss their tentative proposal and staff provides feedback on what land use applications and processes may be necessary.

J. Peterkort representatives held their pre-application conference on April 10, 2013. The pre-app reference number is PA2013-0018. The pre-application conference notes are available for public review.

- **Step 2: Neighborhood Meeting.** The applicant holds a neighborhood meeting to solicit feedback on the proposal.

J. Peterkort representatives held their Neighborhood Review Meeting on April 25, 2013 at Christ United Methodist Church)

- **Step 3: Application Submittal.** The applicant submits the applications to begin the review process. Staff begins with completeness review to assess whether all the required information has been submitted. This review does not include a review of the merits of an application, though staff may identify potential issues or raise questions should they arise during completeness review.

J. Peterkort representatives submitted the PUD application on April 17, 2013 and was assigned the case file number of CU 2013-0003. The application was found to be incomplete and the City is awaiting the submittal of the requested information. The

PUD application and all materials associated with the application are available for public review.

- **Step 4: Completeness Perfected.** The applicant has provided any missing pieces of information and additional plan sets for review and is deemed Complete. Once this happens the 120 day clock begins. The 120 day clock is a State Statute requirement that specifies the City has 120 calendar days to reach a final decision on the application, including any appeals. At this point the following steps take place:
 - a. A date for the Planning Commission public hearing will be established;
 - b. A public notice will be mailed to all property owners within 500 feet of the proposed project and to CPO 1;
 - c. A public notice will be published in the Tualatin Valley Times;
 - d. Blue public notice boards will be posted on the site. Given the number of properties and size of the area which is the subject of the PUD application, at least 7 notice boards will be posted at different locations along Barnes Road and Cedar Hills Boulevard;
 - e. Staff will begin the substantive review of the project;
 - f. The record is open for public comment and any written comments received will be made a part of the record and shared with the Planning Commission;

As of June 4, 2013, the City has not received the materials that were identified in the completeness letter as missing information. Therefore, a Planning Commission hearing date has not been established and notices have not been published.

- **Step 5: Review.** Staff conducts a review of the application and accepts written public testimony in order to prepare a recommendation to the Planning Commission on the proposal. This recommendation is in the form of a Staff Report. The Staff Report is available to the public a minimum of seven calendar days prior to the public hearing.
- **Step 6: Public Hearing.** The Planning Commission holds a hearing on the proposal and may approve, approve with conditions, deny, or continue the application at the hearing. Oral testimony from the public may be given at this hearing in addition to written testimony submitted prior to the hearing. Land Use Orders are issued after the Planning Commission has reached a decision and are sent to all persons who gave public testimony as well as a letter explaining the appeal process should anyone wish to file an appeal of the Planning Commission's decision. If no appeal is filed the decision is final ten days after the Land Use Orders are signed and mailed.
- **Potential Step 7: Appeal.** Appeals must be filed within 10 days of the Land Use Order being signed and must meet the criterion for a valid appeal. If an appeal is filed and accepted, a public hearing date is set before the City Council to hear the appeal. The City Council is the final decision making body at the City of Beaverton. The appeal hearing must be conducted within the 120 day statutory time limit for land use decisions. The 120 day time limit begins at Step 4 above.

How will I know that an application is complete and a Public Hearing has been scheduled?

Once an application is deemed complete and the review process begins, a public hearing date is set and public notice is given. Written notices are sent to all property owners within 500 feet of the proposal. If you do not live within 500 feet of the project boundary there are three other places to look for public notices: the Beaverton Valley Times on Thursdays in the Legal Notices section, blue notice boards posted on site, and on the City's webpage <http://www.beavertonoregon.gov/index.aspx?nid=1108>

How do I get involved?

- **Review the project file.** Come in to the Planning Division offices (4755 SW Griffith Drive) between 7:30am and 5:00pm Monday through Friday to view the project file and all submitted materials. The file is available to the public for review and copies can be provided at a reasonable cost.
- **Talk to the assigned planner:** If you have reviewed the file and have additional or detailed questions about the project you wish to discuss with the planner, please email or call to make an appointment as their availability cannot be guaranteed on a walk-in basis. The contact information for the assigned planner will be on the public notice. Remember it is staff's job to work with both you and the applicant on the project.
- **Understand the approval criteria.** The applicable approval criteria, listed below, can be found in the Development Code and Comprehensive Plan, both of which can be found on the City's website www.BeavertonOregon.gov

Development Code Sections

20.15.15 & 20.05.20 (Urban High Density R1)
20.10.15, 20.10.20 & 20.10.40 (Corridor Commercial CC)
20.20.15, 20.20.20, and 2.020.40 (Station Community-Sunset SC-S)
40.03 (Facilities Review)
40.15.15.3 (Conditional Use Permit-Planned Unit Development)
60.35 (Planned Unit Development)
60.55 (Transportation Facilities)
60.65 (Utility Undergrounding)

Comprehensive Plan Policies

3.8 (Station Community Development)
3.10 (Corridor Development)
3.13 (Residential Neighborhood Development)
3.13.5 (High Density Residential)
5.4.1 (Adequate Stormwater Management)
5.5.1 (Adequate Water Service)
5.6.1 (Adequate Sewer Service)

5.8.1.e (Adequate Parks & Recreation Facilities)
6.2.1 (Enhance Beaverton's Livability)
6.2.2 (Balanced Transportation System)
6.2.3 (Safe Transportation System)
6.2.4 (Efficient Transport System)
6.2.5 (Accessible Transportation Facilities)
6.2.6 (Efficient Movement of Goods)
7.3.1 (Significant Natural Resources)
7.3.2 (Riparian Corridors)
7.3.3 (Significant Wetlands)
7.3.4 (Wildlife Habitat)
8.2 (Water Quality)
8.3 (Air Quality)
8.4 (Noise)
8.6 (Geologic Hazards)

Understanding and addressing the approval criteria is the most important fact to provide effective testimony. All testimony should directly address the PUD approval criteria. The Planning Commission must base their decision solely on the approval criteria listed in the application. Testimony which addresses the approval criteria will assist the Planning Commission in making a decision.

- **Provide written testimony.** Written testimony provided early enough in the process is included and addressed in the staff report. The cut-off date for written comments to be included in the staff report is listed in the public hearing notice. However, written comments will be accepted up until the public hearing. Providing comments early allows the Planning Commission time to review them prior to the hearing. As previously noted, it is important to address the approval criteria in your testimony.
- **Attend the public hearing.** You may choose to provide public testimony at the hearing, limited time is given to each speaker so be concise, professional, polite, and address the approval criteria. The Planning Commission may ask you follow up questions about your testimony.

CONTACT INFORMATION

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